

### Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Thus, referring to item 3 on page 2 of the Office Action, an Abstract of the Disclosure on a separate sheet is submitted herewith. This Abstract is the same as the Abstract on the first page of the published International application (WO 2005/038058), of which the present U.S. application is the National Phase application.

In response to the rejection of claim 2 under the second paragraph of 35 U.S.C. §112, this claim has been amended to delete the preferred embodiment (pentanediol), rendering the rejection moot. New claim 15, directed to this preferred embodiment, has been added to the application.

Similarly, although not rejected by the Examiner, claim 12 has been amended to delete the preferred temperature range, which has now been set forth in new claim 16.

The patentability of the presently claimed invention over the disclosures of the references relied upon by the Examiner in rejecting the claims will be apparent upon consideration of the following remarks.

Thus, the rejection of claims 1-14 under 35 U.S.C. §103(a) as being unpatentable over Lauton et al. (US '414) in view of Maue (US '522) is respectfully traversed.

According to the Examiner, it would be obvious to modify the formulations and methods of Lauton et al. (cited on page 1 of the present application) by incorporating the humectants as taught by Maue because Maue "teaches the **moisturizing benefits** these compounds provide to hides and pelts". (Emphasis added)

The instant invention and Lauton et al. relate to a method for pretanning hides by using aldehydes, characterized in reducing the reactivity of the aldehydes by adding a hydroxy compound. This is called "**masking**" of the aldehyde. Due to the reduced reactivity of the aldehyde, the penetration of the aldehyde into the substrate (hide) can be improved, as the "masking" prevents the complete reaction of the aldehyde already on the surface of the substrate.

Lauton et al. disclose a saccharide as the hydroxy compound. US 5, 011,499 (equivalent of DE-C1-38 11 267 mentioned on page 1 of the instant application) cited in Applicants' Information Disclosure Statement, discloses the use of a glycol. Using either one alone has disadvantages such as the longevity of the necessary treatment in case of using saccharides, or the

necessary amount of the "masking" compound in case of using glycols. The instant invention provides, as a solution to this problem, the combined use of a saccharide and a glycol to very effectively reduce the reactivity of aldehydes.

Maue discloses an "agent for treatment of hides" (title) in the form of N-heterocyclic amides (lactams) "to produce processed hides or pelts of improved dye ability, flexibility and **moisture content**" (second paragraph of Abstract). (Emphasis added) "[T]he lactams ... do not lump or agglomerate either in solutions or on the hides or pelts and are compatible with a wide variety of oils, fats, greases and waxes, as well as water and preform (sic) as emulsifiers, **humectants** and softening agents in natural or synthetic ... tannages" (Column 6, lines 41-47). (Emphasis added) "The present formulations may also contain between about 0.5 and about 10% by weight of a polyalcohol, or ... alcohol **humectant** such as ... and the like" (Column 7, lines 9-15). (Emphasis added)

In summary, Maue discloses the use of certain lactams for improving the moisture content of hides. For this purpose humectants can be an additional aid, as they are compatible with the lactams.

Humectants are hygroscopic substances and are useful to regulate the moisture content of a substrate, thus, can influence the softness and electrostatic properties thereof. However, the penetration of aldehydes can not be improved by penetration aids such as dispergants, nor by using "humectants", since for aldehydes there are no penetration problems such as the size of the molecules or electrostatic interactions. An improvement can only be realized by reducing the reactivity of the aldehydes, and there is no such teaching or suggestion found in Maue for solving this problem.

Thus, one of ordinary skill in the art, being confronted with the problem of attempting to improve the "masking" effect achieved by the Lauton et al. reference, would not consult the Maue reference because it does not teach or suggest how to reduce the reactivity of the aldehydes in order to improve the penetration of the aldehydes into the substrate (hide).

For these reasons, Applicants respectfully submit that the rejection based on Lauton et al. in view of Maue should be withdrawn.

The rejection of claims 1-14 under 35 U.S.C. §103(a) as being unpatentable over Lauton et al. in view of Kritchevsky (US '627) is respectfully traversed.

The comments set forth above concerning the Lauton et al. reference are equally applicable to this rejection.

According to the Examiner, it would be obvious to modify the formulations and methods of Lauton et al. by incorporating the glycols as taught by Kritchevsky because this reference "teaches the **moisturizing benefits** these compounds provide to hides and pelts". (Emphasis added)

As discussed above, the instant invention is concerned with reducing the reactivity of aldehydes as pretanning agents, and is not concerned with improving the moisture content of hides. Thus, like Maue, the Kritchevsky reference also lacks any teaching or motivation to incorporate glycols into the formulation disclosed in the Lauton et al. reference.

For these reasons, Applicants take the position that the presently claimed invention is clearly patentable over the references applied by the Examiner in rejecting the claims.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of objection and rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

Alain LAUTON et al.

/Michael R. Davis/

By 2010.06.16 14:13:51 -04'00'

Michael R. Davis

Registration No. 25,134

Attorney for Applicants

MRD/pth  
Washington, D.C. 20005-1503  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
June 16, 2010